

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 577 - SB 1392

April 5, 2021

SUMMARY OF ORIGINAL BILL: Limits certain information provided to minors relative to contraceptive procedures, supplies, and materials. Prohibits distribution of contraception on school property. Requires the Textbook and Instructional Material Quality Commission to approve all medically acceptable contraceptive information distributed at public schools or public charter schools.

Requires a minor to receive parental permission for contraceptive supplies and information if the referring agency is a public school or public charter school. Creates an exemption from such requirement for an emancipated minor.

FISCAL IMPACT OF ORIGINAL BILL:

Other Fiscal Impact – Passage of the proposed legislation could jeopardize federal Title X funding in FY21-22 and subsequent years to the Department of Health, received for providing comprehensive family planning and related preventive health services.

SUMMARY OF AMENDMENT (006665): Deletes all language after the enacting clause. Prohibits instruction of the family life curriculum that distributes contraception on school property unless medically-accurate information about contraception and condoms is provided and is consistent with public policy and provides information that informs students that while such methods may reduce the risk of acquiring sexually transmitted diseases or becoming pregnant, only abstinence removes all risk.

Requires the information in the family life curriculum be reviewed and approved by the local board of education (LEA) or charter school governing body, prior to the information being used by the LEA or public charter school. Authorizes a parent of a student attending a school in the LEA or charter school, to review the information and to opt the parent's student out of receiving the information as part of a family life curriculum, without penalty to the student.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

NOT SIGNIFICANT

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 49-6-1302 each LEA prior to adopting a family life curriculum adopted by the LEA or the state board of education, must undertake appropriate measures, whether in a public hearing or in parent conferences, to ensure and maintain the highest level of community and parental support for family life.
- Pursuant to Tenn. Code Ann. § 49-6-1304 family life instruction must be medically accurate, age appropriate, and in align with the State Board of Education guidelines.
- Pursuant to Tenn. Code Ann. § 49-6-1305 the parent or legal guardian currently has the right to examine the grade level instructional materials and confer with the student's instructor, school counselor or principal, as designated by the LEA, regarding any or all portions of family life as well as the right to excuse a student from any portion of family life by submitting a request, in writing, to the student's instructor, school counselor, or principal. The current code additionally declares that a student who is excused from any or all portions of family life must not be penalized for grading purposes if the student satisfactorily performs alternative health lessons.
- According to the Department of Education (DOE), the proposed legislation as it relates to the Family Life curriculum and instructional materials, including information provided to students, aligns with current state standards; therefore, no significant fiscal impact to the DOE. Any impact on local education agencies is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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